

<b>STATE OF MICHIGAN</b> JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	<b>SUPPLEMENTAL ORDER OF DISPOSITION          FOLLOWING REVIEW HEARING          (CHILD PROTECTIVE PROCEEDINGS), PAGE 1          ORDER _____ OF _____</b>	<b>CASE NO.          PETITION NO.</b>
Court address _____		Court telephone no. _____

1. In the matter of  
name(s), alias(es), DOB \_\_\_\_\_

2. Date of hearing: \_\_\_\_\_ Judge/Referee: \_\_\_\_\_ Bar no. \_\_\_\_\_

**A** ☐ 3. Removal date: \_\_\_\_\_ (specify for each child if different)

**B** 4. As of the last order, the above named child(ren) was/were in the temporary custody of the court, and  
☐ remained in the home. ☐ was/were placed with the Department of Human Services for care and supervision.

### THE COURT FINDS:

**C** 5. ☐ Notice of hearing was given as required by law. ☐ Notice of proceedings is to be given as required by law.

**D** 6. The lawyer-guardian ad litem ☐ has ☐ has not \_\_\_\_\_ complied with the requirements of MCL 712A.17d.

**E** 7. ☐ a. There is probable cause to believe the legal/putative father(s) is/are:  
(name each child, his/her father, and whether legal or putative)

- ☐ b. The putative father of \_\_\_\_\_ is unknown and cannot be identified.  
☐ c. The natural father was notified as required by law and failed to establish paternity within the time set by the court. The natural father waives all rights to further notice, including the right to notice of termination of parental rights and the right to an attorney.

**F** 8. The court has considered the case service plan and other evidence presented. The findings below are specific to this case and  
 are based upon this hearing, and ☐ the following report(s): \_\_\_\_\_  
identify report(s) and date(s) of report(s)

Specific conditions reviewed on the record as required by MCL 712A.19(6) were

- a. compliance with the case service plan with respect to services provided or offered to the child and his or her parent(s), guardian, or legal custodian and whether the parent(s), guardian, or legal custodian complied with and benefited from those services.
- b. compliance with the case service plan with respect to parenting time with the child and whether parenting time did not occur or was infrequent and the reasons why.
- c. the extent to which the parent(s), guardian, or legal custodian complied with each provision of the case service plan, prior court orders, and any agreement between the parent(s), guardian, or legal custodian and the agency.
- d. likely harm to the child if the child continued to be separated from his or her parent(s), guardian, or legal custodian.
- e. likely harm to the child if the child was returned to his or her parent(s), guardian, or legal custodian.

**NOTE:** If the child(ren) were not removed prior to the dispositional review hearing and new allegations are made which require removal, a supplemental petition must be prepared and filed and a preliminary hearing held, whereupon contrary to the welfare and reasonable efforts findings must be made.

(SEE SECOND PAGE)

Do not write below this line - For court use only

**USE NOTE:** Use this form for pre-termination review hearings. Use form JC 76 for post-termination review hearings.

<b>STATE OF MICHIGAN</b> JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	<b>SUPPLEMENTAL ORDER OF DISPOSITION          FOLLOWING REVIEW HEARING          (CHILD PROTECTIVE PROCEEDINGS), PAGE 2          ORDER _____ OF _____</b>	<b>CASE NO.          PETITION NO.</b>
Court address		Court telephone no.

In the matter of

- G** ☐ 9. Reasonable efforts ☐ were ☐ were not made to preserve and reunify the family to make it possible for the child(ren) to safely return home. (specify reasonable efforts below, and if applicable, the reasons for return)
- ☐ a. Reasonable efforts for reunification should be continued.
- ☐ b. Those reasonable efforts were successful and the child(ren) should be released to

\_\_\_\_\_  
 Name of parent, guardian, or legal custodian

The reasonable efforts include: (specify)

- H** ☐ 10. Progress toward alleviating or mitigating the conditions that caused the child(ren) to be placed or to remain in temporary foster care ☐ was ☐ was not made in accordance with MCL 712A.19(7).
- I** 11. The child(ren)'s continued placement ☐ is necessary and appropriate and is meeting the child(ren)'s needs.  
☐ is no longer necessary or appropriate.

- J** ☐ 12. \*Reasonable efforts ☐ have ☐ have not been made to finalize the court-approved permanency plan of
- ☐ a. return to the parent for the child(ren) named \_\_\_\_\_.
- ☐ b. legal guardianship for the child(ren) named \_\_\_\_\_.
- ☐ c. adoption for the child(ren) named \_\_\_\_\_.
- ☐ d. placement with a fit and willing relative for the child(ren) named \_\_\_\_\_.
- ☐ e. placement in another planned permanent living arrangement, identified as \_\_\_\_\_, due to the compelling reasons that \_\_\_\_\_, (provide the name of each child and then specify the compelling reasons for another planned permanent living arrangement for that child, as appropriate, by entering the language that corresponds to the number[s] from the list on page 4)

The reasonable efforts made to finalize the court-approved permanency plan identified above include:  
 (specify the permanency plan for each child and the reasonable efforts made toward finalizing that plan)

- ☐ Since adoption is the court-approved permanency plan, the Department of Human Services shall be ordered to initiate proceedings to terminate parental rights.

- K** ☐ 13. Parenting time with \_\_\_\_\_, even if supervised, may be harmful to the child(ren).

**NOTE:** \*MCL 712A.19a provides that these reasonable efforts findings must be made within 12 months from when the child was removed from his/her home and every 12 months thereafter.

(SEE THIRD PAGE)

<b>STATE OF MICHIGAN</b> JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	<b>SUPPLEMENTAL ORDER OF DISPOSITION          FOLLOWING REVIEW HEARING          (CHILD PROTECTIVE PROCEEDINGS), PAGE 3          ORDER ____ OF ____</b>	<b>CASE NO.          PETITION NO.</b>
Court address		Court telephone no.

In the matter of

**IT IS ORDERED:**

- L** ☐ 14. Notice is to be given to the legal/putative father(s) as required by law. ☐ The father was not present and must appear at the next hearing. ☐ The putative father was present at this hearing and shall establish paternity within 14 days.
- M** ☐ 15. The child(ren) is/are continued in the temporary custody of this court, and  
☐ is/are placed with the Department of Human Services for care and supervision, and  
 a. the parent, guardian, or legal custodian shall execute all documents necessary to release confidential information regarding the child(ren), including medical, mental, and educational reports, and shall also, within 7 days, provide the Department of Human Services with the name(s) and address(es) of the medical provider(s) for the child(ren). Any medical provider of the child(ren) shall release the medical records of the child(ren) to the Department of Human Services.  
 b. if a home study has not yet been completed, then one shall be performed by the Department of Human Services and a copy of the home study submitted to the court not more than 30 days after the placement.  
 c. upon request, the Department of Human Services shall release to the foster parent the information concerning the child(ren) in accordance with MCL 712A.13a(13).  
☐ remain home with or is/are released to \_\_\_\_\_ under the supervision of the Department of Human Services. ☐ The following terms and conditions apply to the parent/guardian/legal custodian:
- N** ☐ 16. The Department of Human Services shall initiate proceedings to terminate parental rights to the child(ren) no later than 42 days from the date of this hearing.
- O** ☐ 17. The parent(s), guardian, or legal custodian shall comply with, and benefit from, the case service plan. ☐ In addition,
- P** ☐ 18. Parenting time of \_\_\_\_\_ is  
☐ supervised by the Department of Human Services and/or its designee.  
☐ unsupervised at the discretion of the Department of Human Services.  
☐ suspended while psychological evaluation or counseling is conducted, or until further order of the court.
- P** ☐ 19. Parenting time of \_\_\_\_\_ is  
☐ supervised by the Department of Human Services and/or its designee.  
☐ unsupervised at the discretion of the Department of Human Services.  
☐ suspended while psychological evaluation or counseling is conducted, or until further order of the court.
- P** ☐ 20. Parenting time of \_\_\_\_\_ is  
☐ supervised by the Department of Human Services and/or its designee.  
☐ unsupervised at the discretion of the Department of Human Services.  
☐ suspended while psychological evaluation or counseling is conducted, or until further order of the court.
- Q** ☐ 21. Jurisdiction of this court is terminated. The court reserves the right to enforce payments of reimbursement that have accrued up to and including the date of this order. The child(ren) is/are released to \_\_\_\_\_.
- R** 22. Previous reimbursement orders shall continue.

(SEE FOURTH PAGE)

<b>STATE OF MICHIGAN</b> JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	<b>SUPPLEMENTAL ORDER OF DISPOSITION          FOLLOWING REVIEW HEARING          (CHILD PROTECTIVE PROCEEDINGS), PAGE 4          ORDER ____ OF ____</b>	<b>CASE NO.          PETITION NO.</b>
Court address		Court telephone no.

In the matter of

**IT IS ORDERED:** (continued)

☐ 23. Other: (attach separate sheet if needed)

24. Prior orders remain in effect except as modified in this order.



☐ 25. Review hearings shall be held as follows:

(NOTE: The review hearing shall not be delayed beyond the number of days required regardless of whether a petition to terminate parental rights or another matter is pending. MCL 712A.19a provides that the permanency planning hearing shall not be delayed beyond 12 months from the date of removal of the child and every 12 months thereafter.)

☐ dispositional review hearing \_\_\_\_\_ ☐ permanency planning hearing \_\_\_\_\_  
 The supervising agency shall provide documentation of progress relating to all aspects of the last court-ordered treatment plan, including copies of evaluations and therapy reports and verification of parenting time, not later than 5 business days before the scheduled hearing.

26. ☐ Notice of the next hearing has been provided as required by law. ☐ Notice of the next hearing shall be provided.



\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Judge

**The following list are examples of compelling reasons for a permanency plan other than return to parent, legal guardianship, placement with a fit and willing relative, or adoption.**

1. No relative has been identified who is appropriate or available to assume the permanent custody of the child.
2. The current caregiver is not an adoptive resource.
3. The child has a significant attachment to the parent(s), and it is in the child's best interests that it be preserved through parenting time and contact.
4. Reasonable efforts to recruit an adoptive home have been unsuccessful.
5. The child does not want to be adopted and is of an age where due consideration must be given to his/her wishes.
6. It is contrary to the child's best interests to break the child's attachment to the current caregivers.
7. The current caregiver is committed to providing a permanent placement for the child.
8. The placement allows the siblings to remain together.
9. The child's special needs can best be met in this placement.
10. The child wants to remain in the current placement, which is only available as foster care.
11. The placement is preparing the child for transition into independent living (specify the services being provided to the child to assist with transition such as referral to an independent living skills program, enrollment in a vocational program, referral for a mentor, continued out-of-home placement in foster care beyond age 18 to allow the child to complete secondary school, placement in a resource that provides on-site training for independent living, and other similar services).
12. The child comes under the Indian Child Welfare Act, and the child's tribe recommends permanent placement in long-term foster care.
13. Other (specify in the findings in item 12e).

## Instructions for Using JC 19

This order is designed to be used at review hearings subsequent to the initial order of disposition (for which the court will use JC 17). The forms are very similar. However, there is no language regarding adjudication, as that language would be appropriate at disposition, not post-disposition proceedings. In addition, keep in mind that this form is to be used for post-disposition review hearings that occur before termination of parental rights; JC 76 should be used for post-termination review hearings.

Pursuant to MCL 712A.19(2), (3), and (4) a review hearing shall not be canceled or delayed beyond the number of days required in those subsections, regardless of whether a petition to terminate parental rights or another matter is pending. When possible, a dispositional review hearing can (and for efficiency, should) be combined with a permanency planning hearing, as specifically allowed in MCL 712A.19a (“[i]f proper notice for a permanency planning hearing is provided, a permanency planning hearing may be combined with a review hearing . . . , but no later than 12 months from the removal of the child from his or her home, from the preceding permanency planning hearing, or from the number of days required under subsection [2]”). Subsection 2 relates to the requirement for a permanency planning hearing within 30 days of a judicial determination that reasonable efforts to reunite the child and family are not required. See also MCR 3.976(B)(3).

NOTE: This form has already been distributed, but it has since been determined that there should be two additional items after item 4. The first item will state that “Notice of hearing for the review/permanency planning hearing/combined review and permanency planning hearing was served as required by law. The second item will state that “The court has considered the permanency plan and other evidence presented. The findings below are specific to this case and are based upon this hearing, and the following report(s).” A future revision will incorporate these changes. JC 64 is not used with a combined review hearing and permanency planning hearing. In addition, the title of this form is more appropriately referred to as “Order After Pre-Termination Review/Permanency Planning Hearing (Child Protective Proceedings).

- A** 3. The removal date is prominently placed to make it clear when subsequent review hearings must occur. In addition, there is a check box here because the children may not have been removed from the home.
- B** 4. This provision specifies that as of the previous order, the child or children subject to the petition had either remained in the home, or were placed with DHS for care and supervision.
- C** 5. The court may need to find proper notice was given, because pursuant to MCR 3.973(D)(3), the court may proceed in the absence of parties provided that proper notice has been given. Proper notice is defined in MCR 3.973(B), which specifies “notice may be given by scheduling it on the record in the presence of the parties or in accordance with MCR 3.920.” Notice may also be waived, but MCR 3.920(E) requires such a waiver to be in writing. However, MCR 3.920(G) also allows the appearance and participation of a party at a hearing to act as a waiver by that party of a defect in service, unless the party objects on the record regarding the specific notice defect. A court’s best practice would ensure that any waiver of notice be made in writing. Respondents are entitled to notice by summons of both trials and termination hearings, pursuant to MCR 3.920(F).

## Instructions for Using JC 19 (continued)

- D** 6. MCL 712A.17d requires the lawyer-guardian ad litem (L-GAL) to meet with or observe the child before a dispositional review hearing, and at least once during the pendency of a supplemental petition. This new provision requires the court to determine whether such contact or observation has occurred. L-GALs are required to meet with or observe the child in the following instances:
- a. Before the pretrial hearing
  - b. Before the initial disposition, if held more than 91 days after the petition has been authorized
  - c. Before a dispositional review hearing
  - d. Before a permanency planning hearing
  - e. Before a post-termination review hearing
  - f. At least once during the pendency of a supplemental petition
  - g. At other time as ordered by the court

Adjourned or continued hearings do not require additional visits unless ordered by the court, and the court may also order alternative means of contact with the child if good cause is shown on the record to do so.

Note that there is no “contrary to the welfare” provision on this form. Pursuant to MCL 712A.19, if DHS “becomes aware of additional abuse or neglect of a child who is under the jurisdiction of the court and” if DHS substantiates that abuse or neglect, DHS is required to file a supplemental petition with the court. The supplemental petition will trigger a preliminary hearing, at which point the “contrary to the welfare” and “reasonable efforts to prevent removal” findings must be made. In other words, if the circumstances prior to a post-disposition review have not led the court to require removal of the child, removal at this point would only be appropriate if new allegations of abuse or neglect have occurred and a supplemental petition has been filed. Once a supplemental petition is filed, the court would proceed with a preliminary hearing.

- E** 7. There is a check box in front of item 7 because identifying the father at disposition is not mandatory, although obviously that identification should be accomplished at the earliest possible time at any point in the proceedings.
- F** 8. As part of the post-disposition review, the court is required to make findings relating to the respondent’s compliance with the case service plan and any likely harm to the child if the child is returned to the parent or maintained in placement. MCL 712A.19(6); MCL 3.975(F)(1). For the jurist’s convenience, the specific conditions that must be reviewed as part of a post-disposition review are listed on the face of the form.

Item 8 also incorporates the provisions of MCR 3.974 and 3.975 (regarding post-dispositional review procedures for children at home and children in placement) that require that “the report of the agency that is filed with the court must be accessible to the parties **and offered into evidence.**” See also MCL 712A.19(11). There is a specific line for identifying reports required to be offered into evidence.



## Instructions for Using JC 19 (continued)

- G** 9. This item is optional because it only applies when children are in foster care. As part of the order of disposition (which would have been the previous hearing), courts are required to consider efforts to be made by the child’s parent to enable the child to return to his or her home; and efforts to be made by the agency to return the child to his or her home (MCL 712A.18f[3]). Item 9 on this form tracks that progress by allowing the court to find that reasonable efforts were or were not made to preserve and reunify the family to allow the child(ren) to safely return home; and what those reasonable efforts were. In addition, MCL 712A.19a(3) requires that, in the event the court holds a permanency planning hearing, it shall review the status of the child and the progress being made toward the child’s return home. Making these findings in this item will allow the court to fulfill that requirement.

Further, federal regulations require that the state “make reasonable efforts to . . . effect the safe reunification of the child and family . . . . In determining reasonable efforts to be made with respect to a child and in making such reasonable efforts, the child’s health and safety must be the State’s paramount concern.” 45 CFR 1356.21(c).

- H** 10. This item is optional because it only applies when children are in foster care. This item comes from MCL 712A.19(7) and MCR 3.975, which require the court to decide the extent of the progress made toward alleviating or mitigating conditions that caused the child to be, and to remain, in foster care. There is a check box because it would not be applicable to situations in which the child is not removed from the home.
- I** 11. This language is drawn from MCL 712A.19(8), which requires the court to “determine the continuing necessity and appropriateness of the child’s placement.” Although children who remain at home are not “in placement,” this item would apply to those situations as well because of MCL 712A.19(2). Therefore, item 11 is not optional.
- J** 12. This item is used only when a permanency planning hearing has been combined with the dispositional review hearing.

These specific findings are required for Title IV-E eligibility. 45 CFR 1356.21(b)(2)(i) states that “[t]he State agency must obtain a judicial determination that it has made reasonable efforts to finalize the permanency plan that is in effect (whether the plan is reunification, adoption, legal guardianship, placement with a fit and willing relative, or placement in another planned permanent living arrangement) within twelve months of the date the child is considered to have entered foster care . . . and at least once every twelve months thereafter while the child is in foster care.” Not only must the court find that reasonable efforts have been made to finalize the permanency plan, but it must also explicitly document that determination on a case-by-case basis. 45 CFR 1356.21(d). In addition, MCR 3.976 requires that the court determine whether the agency has made reasonable efforts to finalize the permanency plan, and identify what that plan is.

## Instructions for Using JC 19 (continued)

If the court finds as part of a permanency planning hearing that placement in another planned permanent living arrangement is the appropriate permanency plan for the child (as opposed to adoption, reunification, legal guardianship, or placement with a fit and willing relative), federal regulations require that the state must document to the court **the compelling reasons** for the alternate plan. In other words, the federal regulations encourage any other permanency plan before “another planned permanent living arrangement.”

The federal regulations give some examples of what can constitute compelling reasons to support another planned permanent living arrangement as the permanency plan for a child. The examples cited in the federal regulations include: “i) the case of an older teen who specifically requests that emancipation be established as her/her permanency plan; ii) the case of a parent and child who have a significant bond but the parent is unable to care for the child because of an emotional or physical disability and the child’s foster parents have committed to raising him/her to the age of majority and to facilitate visitation with the disabled parent; or, iii) the Tribe has identified another planned permanent living arrangement for the child.” 45 CFR 1356.21(h)(3).

The final check box in item 12 requires that, since adoption is the permanency plan for the child, DHS should initiate proceedings to terminate parental rights. This complies with MCR 3.976(E)(2) and MCL 712A.19a(6). The order provision that relates to this finding is in item 16 of this form.

- K** 13. MCL 712A.13a requires this finding if a court wants to order a psychological evaluation or counseling for the child. That statute also allows a court to suspend parenting time while the evaluation or counseling continues.
- L** 14. This provision includes the choices a court may make regarding putative fathers.
- M** 15. This item is optional because the court can terminate jurisdiction at this hearing (see item 21). This provision includes options for placement with DHS for care and supervision (required for Title IV-E eligibility), or for a child to remain home or be returned home under supervision of DHS and with optional terms and conditions a court may order.
- N** 16. This is the order provision that relates to the finding in item 12 that requires DHS to initiate proceedings to terminate parental rights if reunification with the parent is not the permanency plan for the child. This complies with MCR 3.976(E)(2) and MCL 712A.19a(6).
- O** 17. This provision requires the parent, legal custodian, or guardian to comply with, and benefit from, the case service plan. MCR 3.975. It also allows the court to add additional requirements as part of the supplemental order of disposition.
- P** 18. These identical parenting time provisions allow the court to order parenting time (supervised or unsupervised) or to suspend parenting time while the child undergoes the psychological evaluation or counseling ordered in item 15 of this form. And while MCL 712A.19b(4) and MCR 3.977(D) require that parenting time be suspended in cases in which a petition to terminate parental rights is filed, the



## Instructions for Using JC 19 (continued)

court can order parenting time if the parent establishes, and the court determines, that the parenting time will not harm the child. If the parent cannot establish, or the court does not determine, that allowing parenting time will not harm the child, the statute requires parenting time to remain suspended until the termination petition is adjudicated or the issue is settled.

Three separate parenting time provisions are included to accommodate different parenting time schedules, but if parenting time is the same for all parties, only one item need be filled out.

- Q** 21. This provision allows the court to terminate jurisdiction, if appropriate, while making it clear that any unpaid reimbursement that has accrued to the termination of jurisdiction is enforceable.
- R** 22. If jurisdiction is not terminated, previous reimbursement orders remain in effect.
- S** 24. Typically, specific provisions of an order remain in effect if this language is present (that “prior orders remain in effect except as modified by this order”). However, this has been an issue with DHS, which has refused to authorize payment unless the most recently-entered court order requiring a particular service continues to reflect that court’s ordering of that service. As a best practice, and to avoid the issue of whether the court is continuing to order a particular service DHS is responsible for, a court should specifically order, in each consecutive order, any service (such as drug testing), supervision (for parenting time), or placement that requires financial funding by DHS. In addition, as a best practice, courts should indicate in each order that reasonable efforts to prevent removal were made in a prior order (whether those efforts are required or not) to clarify that those findings have been made, which then allows for funding for those eligible under Title IV-E.
- T** 25. The end of a review hearing is an excellent time for the court to plan for subsequent review hearings. This provision offers the court the opportunity to lay out subsequent hearings. MCL 712A.19(3) requires an initial review hearing be held not more than 182 days after the child’s removal (for a child in foster care) or the filing of a petition (for a child who remains in his or her home). After the first review hearing, subsequent hearings are required every 91 days for the first year. After the first year, review hearings are required not later than 182 days from the prior review hearing.

This schedule is designed to bring a case before the court (after disposition) at least three times the first year, approximately every 91 days. Current court rules allow for disposition for a child in placement to occur within approximately 98 days if the trial is begun within 63 days pursuant to MCR 3.972 (and is completed within a reasonable time thereafter), and disposition occurs within an additional 35 days, as required by MCR 3.973. No matter when disposition occurs, the initial dispositional review must still occur within 182 days of removal. A best practice is to aim for disposition at the 91-day mark, rather than the 98-day mark envisioned in the court rules. Then, when the court schedules its first dispositional review hearing 91 days later, it is still within the mandatory 182-day review requirement.

## Instructions for Using JC 19 (continued)

If the disposition occurs close to the 91-day point, and the subsequent review hearings occur at 182 days and 273 days after removal, the final review hearing for the first year in placement (364 days) would occur at about the same time the initial permanency planning hearing is required. Thus, there are spaces on this order for one review hearing (presumably the 273-day review) and a permanency planning hearing, which can be combined with a review hearing. This scheduling is designed to make it easier for courts to meet the statutory and regulatory deadlines without scheduling additional hearings.

- U** 26. These provisions are designed to make notice easier for the courts and help keep the parties, parties' counsel and the court on a schedule. If all parties are present at the review hearing, and the court selects a date for the next review hearing, the court would check the first box indicating that the parties present received notice of the next hearing. If a party is not present, separate notice is required.

Note: Termination of parental rights at a hearing on a supplemental petition for termination of parental rights based on different circumstances

Pursuant to MCR 3.977(F), the court may act on a supplemental petition for termination of parental rights on the basis of new or different circumstances from the offense that led the court to take jurisdiction. The court must order termination of parental rights of a respondent and must order no additional efforts for reunification between the child and the respondent be made if:

1. The supplemental petition contains a request for termination of parental rights;
2. At the hearing on the supplemental petition, the court finds by clear and convincing legally admissible evidence that one or more of the facts alleged in the supplemental petition are true, and come within MCL 712A.19b(3).<sup>1</sup>

However, even if the case meets the above provisions, the court may choose not to terminate parental rights if it finds, by clear and convincing evidence, that termination of parental rights is not in the best interests of the child. This hearing must be held **within 42 days after the filing of the supplemental petition. The court may extend this time period for an additional 21 days for good cause.**

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<sup>1</sup> The two exceptions to this provision are MCL 712A.19b(3)(c)(i), which relates to the same conditions continuing to exist at least 182 days after the initial disposition, and would not be a different circumstance allowing for a supplemental petition for termination of parental rights; and MCL 712A.19b(3)(h), which allows for termination if the parent is imprisoned for such a time that the child will be deprived of a normal home for more than 2 years, the parent has not provided for the child's proper care and custody, and there is no reasonable expectation that the parent will be able to provide proper care and custody within a reasonable time considering the child's age.